

Missouri Ethics
Commission

Julie Allen,
Executive Director

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MISSION

We serve the public interest. We assist and educate the citizens of Missouri, public officials, lobbyists, and those participating in public elections. We create transparency and accountability and consistently enforce campaign finance, conflict of interest, and lobbying laws.

MEC News

VOLUME 17

JANUARY 2013

Website Updates

- ◆ **2013 Guide to Ethics Laws**
- ◆ **2013 Candidate Central (General Municipal)**
- ◆ **Deadlines & Reminders for Feb 5 & Apr 2 (General Municipal) Elections**



Are you required to file a PFD?



Annual Filers:

If your name was submitted to our office by a political subdivision (county, city, board, school district, etc.) as a person required to file a Personal Financial Disclosure (PFD) due to a position held in 2012, then you must file your PFD by **5:00 pm on May 1, 2013**.

Watch your mail for a letter with instructions for e-filing

along with your MEC Online ID and Password.

Time period covered is from January 1, 2012-December 31, 2012.

If you fail to file by May 1, 2013, you will be assessed a late filing fee of \$10.00 per day. After 30 days the fee increases to \$100.00 per day, not to exceed \$6,000.00. Additional penalties may also apply.

Incumbent Municipal Candidates:

As an incumbent municipal candidate your deadline for filing is by **5:00 pm on January 29, 2013**.

Time period covered is from January 1st, 2012 through January 15th, 2013.

Failure to file by the required deadline results in late fees and removal from the ballot.

Campaign Finance Reminders

Are you a candidate for 2013?

- ◆ View [2013 Candidate Central](#) for information on PFD, committee requirements, campaign materials identification (paid-for-by) requirements and more!
- ◆ View [Deadlines & Reminders for Feb 5 and Apr 2 \(General Municipal\) Elections](#) for reports specific to the election date.
- ◆ Keep email addresses current with MEC
- ◆ [Register](#) for candidate training webinars
- ◆ Candidate committee treasurers must reside in district or county in which the committee is domiciled.

**Campaign Finance
January Quarterly
Report**

- * Time period is from the day after the close of your last full disclosure report through Dec 31
- * Report due Jan 15

About the Commission



A note from Julie Allen—During my tenure as Executive Director, outreach & education, increasing transparency & accountability, and consistently administering MO's ethics laws have been a priority. I know the Commission will continue to serve MO's citizens well and I wish the Commission the best of luck as they perform the work established by the Legislature. Opportunities exist to serve our citizens better by improving MO's ethics laws. This includes providing greater transparency and accountability, simplifying the law's requirements when possible, & improving the integrity of the Commission's daily operations and authority. These are important factors, worthy of legislative action.

About the Commission—At the Commission, we serve the public interest. We assist and educate our customers, create transparency and accountability, and consistently enforce MO's ethics laws. Transparency and public information is a priority. We hope you find our website, searches, and resources useful.

CONTACT US

3411 A Knipp Dr
Jefferson City MO
65109

Mail:
PO Box 1370
Jefferson City MO
65102

Email:
helpdesk@mec.mo.gov

Phone:
800-392-8660
573-751-2020

Website:
www.mec.mo.gov

Follow us on Twitter:
@MOEthics

We are a 22-person, professional, and non-partisan staff. The Commissioners serve in a non-partisan manner and are appointed to four-year terms by the Governor, from the Congressional Districts.

Candidates, lobbyists, and public officials register and file with the Commission (2,500 campaign finance committees, 1,000 lobbyists, 10,000 Personal Financial Disclosure statements filed annually). We assist this community. Our responsibility includes enforcing the laws. We conduct investigations related to those filing reports with us and from received complaints. The Commission's authority and jurisdiction are defined in MO law. A case is investigated factually and the Commissioners' decisions are based on the investigative facts and law.

As we administer the ethics laws, we are a resource to the Legislature as it looks to improve financial transparency, accountability, and fairness in the election process. The Commission is committed to strengthening Missouri's ethics laws and the Commission's integrity.

Come visit our [website](#) and learn more about the Commission.

Lobbyist

Don't forget to view
[Lobbyist Tutorials](#)

- ◆ **What is a lobbyist expenditure?** Money spent (or solicited) for public official, their staff or family or for group. See [Lobbyist FAQS](#) for more information
- ◆ **What is the "List of Principals & Legislative Action Report"?** This is a bi-annual report required to be filed by all lobbyists
 - * Due March 15 & May 30 of each year.
 - * File with MEC.
 - * Include general description of proposed legislative action...which the lobbyist (or lobbyist principal) supported or opposed



Upon written request, the Commission issues advisory opinions about campaign finance disclosure, conflict of interest, lobbying and personal financial disclosure laws.

Recent Opinions:

[2012.12.CI.004](#) -

Ch 105 requires a hospital board to engage in competitive bidding when negotiating the purchase, sale or lease of a physician board members practice and that practice must be the lowest bid received. Also physician

cannot attempt to influence board for one year after resigning from board.

[2012.12.CI.005](#) -

Former county commission can't influence decision of county commission in the event commission becomes legal advisor for another elected official in the same county.

Training News

WEBINARS

REGISTER NOW!

www.mec.mo.gov/training

- ◆ **Session A:** Campaign Finance Record-Keeping Webinar
- ◆ **Session B:** Campaign Finance Reporting Webinar
- ◆ **Session C:** PFD for Candidates Webinar

TUTORIALS

- ◆ **Political Subdivision Duties & Responsibilities**—for county & city clerks and other officials regarding their duties related to MEC.

- ◆ **Follow the Campaign Money**—provides overview of MEC's searches

- ◆ **Other Topics**—
 - Campaign Finance (for candidates, committees, & e-filing)

Paid-for-by
PFD
Lobbyists

Email training @
training@mec.mo.gov

**Missouri Ethics
Commission**

**Stacey Heislen,
Acting Executive
Director**

**IN THIS
ISSUE:**

- Personal Financial Disclosure (PFD)
- Lobbying
- Campaign Finance Tips & Reminders
- Spotlight on Searches
- FAQ
- Campaign Committees (Ballot Measures)
- Training News

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MEC News

VOLUME 18

APRIL 2013

Have you filed your PFD?

Annual Filers:

May 1st deadline for filing fast approaching!

If your name was submitted to our office by a political subdivision (state agency, county, city, board, school district, etc.) as a person required to file a Personal Financial Disclosure (PFD) due to a position held in 2012, then you must file your PFD by **5:00 pm on May 1, 2013**.

Time period covered is from Jan 1st, 2012 thru Dec 31st, 2012

Filing Options:

- E-file by May 1st, 5:00 p.m.
- Hand deliver to MEC office by May 1st, 5:00 p.m.
- Mail to MEC, must have postmark of no later than April 30th



Political Subdivisions:

Verify that your designated filers have submitted their forms:

1. Go to our website
2. Log into the [Political Subdivision Filing System](#) (use your political subdivision's log-in information)
3. Check the filing status of your required filers

If PFD not timely filed, penalties, including late fees, apply!

Lobbying

List of Principals and Legislative Action Report - due May 30th.

Avoid these common reporting errors:

1. Only one report is required per principal; any one of multiple lobbyists that are registered to lobby on behalf of a principal may report for that principal.
2. Must include a general description of the proposed action; may provide the bill number but must also include a brief description of the bill.
3. Report includes the lobbying of any action by an official agency, board or commission of state government; if lobbying the head of a state agency, that action is reportable.

Campaign Finance Tips & Reminders

- ◆ The time period for the **April Quarterly** report begins the day **after** the last filed report ended, do not double report activity by including it on more than one report.
- ◆ Payments to **campaign workers** must be itemized, regardless of the amount. A campaign worker is someone that you are hiring to assist with your campaign activities (does not include unpaid volunteers).
- ◆ For ease of record-keeping & reporting, **avoid** using cash.
- ◆ MEC notices & reminders are sent via **email**, make sure all committee email addresses are kept up to date.
- ◆ A cmte's bank account must be held in the name of the cmte; if these don't match, must either change bank account name or name of cmte; **update** cmte info by filing an *Amended Statement of Cmte Organization*.

[View Deadlines & Reminders for 2013 Quarterly Reports](#)

Upcoming Reports

All Committees

✉ April Quarterly— Due April 15 (thru March 31)

Apr 2 Election

✉ 30 Day After— Due May 2 (thru Apr 27)

Spotlight on Searches



Candidate or Committee

Name Search - shows information about a committee, provides access to committee reports, along with an **exciting feature** that displays a **financial summary** based on the committee's last full disclosure report filed since 2011.

From our website, select:

- ➡ Candidates/Committees
- ➡ Under Searches...select "Candidate or Committee Name"

Select tab for...

Committee

- Step 1—Search by Committee Name &/or Candidate Name
- Step 2—Specify by Committee Type &/or Status

Treasurer

- Step 1—Search by Treasurer/ Deputy Treasurer Name
- Step 2—Specify by Committee Type &/or Status

Committee Type

- Step 1—Search by Committee Type &/or Status

~ FAQ ~

Q: Does Missouri have contribution limits?

A: Currently, Missouri does not have individual contribution limits, prior limits were repealed in 2008. There are restrictions in the law regarding the amount of cash that an individual can contribute to a candidate or committee, but not on the amount that can be received via check.

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3411 A Knipp Dr
Jefferson City MO
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Mail:
PO Box 1370
Jefferson City MO
65102

Email:
helpdesk@mec.mo.gov

Phone:
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573-751-2020

Website:
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Follow us on Twitter
@MOEthics



Campaign Committees (Ballot Measures)

A **campaign committee** is a campaign finance committee, other than a candidate committee, formed by an individual or group of individuals to receive contributions or make expenditures (spend money) for:

- ⇒ The sole purpose of supporting or opposing the qualification and passage of one or more particular **ballot measures** in an election; or for
- ⇒ The **retention of judges** under the nonpartisan court plan.

View our **NEW Campaign Committee Brochure** for more information on campaign committee requirements, including forming and registering the committee and filing disclosure reports.

View our **When to Form & Register a Committee Brochure** regarding specific dollar amounts that can be spent/received before law requires a campaign finance committee to be formed and registered.

ELECTION AUTHORITIES: Notify MEC if you have any elections on the August ballot!

Training News

We had a **great first quarter** of training webinars, including CF Record-Keeping, Reporting and PFD for Candidates.

Thanks to all who registered and attended!

Through the spring and into the summer we are scheduling appearances at various conferences throughout Missouri and are working on new resources, including an out

-of-state committee brochure, a conflict of interest guide, a training module for county clerks and a variety of lobbying resources.

We **invite** you to take a look at the different publications, tutorials and resources available on our website.

If you have any training questions, inquiries or requests, **email** them to training@mec.mo.gov.

View one of our most popular resources, the **Fund-Raising Activity Brochure**.

The Fund-Raising Activity Brochure defines a fund-raiser, explains what and when supplemental reporting for an event is required and what information must be included; it also provides a sample of record-keeping for each fund-raising activity.

**Missouri Ethics
Commission**

**Stacey Heislen,
Acting Executive
Director**

**IN THIS
ISSUE:**

- Political Subdivision Reminders
- Campaign Finance
- Spotlight on Searches
- Aug 6, 2013 Election
- Training
- Conflict of Interest
- FAQ Topics

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MEC News

VOLUME 19

JULY 2013

Political Subdivision Reminders

1. Annual Operating Budget (AOB)

In order to identify those persons required to file a personal financial disclosure (PFD), political subdivisions must confirm whether their AOB is:

- Over \$1 million; or
- \$ 1 million or under

2. Conflict of Interest Ordinance/Resolution

If you do not adopt or re-adopt an ordinance, ALL elected, appointed, and decision making personnel, as well as candidates, are required to file a PFD.

If you do adopt a new ordinance, or re-adopt your current ordinance, the deadline is **Sept 15th**. The ordinance must be adopted (or re-adopted) at an open meeting. A certified copy must be mailed to MEC within 10 days of the adoption (or re-adoption).

See [§105.485 RSMo](#) for minimum ordinance requirements. In addition to the minimum requirements, consider including the following:

- Penalties for failure to follow ordinance;
- Filing requirements for candidates.

E-file AOB

1. Starting **Tues, July 16th** through **Mon, Aug 5th**, go to our website at www.mec.mo.gov
2. Log into the [Political Subdivision E-Filing System](#) (use your political subdivision's log-in information)
3. Update subdivision contact information (if necessary)
4. Confirm your AOB (you will receive an email confirmation)

Tips & Reminders

Campaign Finance

- ☞ **July Quarterly Report -** Due July 15 (time period begins the day after the last filed report ended through June 30)
- ☞ **Filing Tip - Step 5 Prior Report Totals:** Money on Hand at beginning of July Quarterly should match Money on Hand at close of last full disclosure report filed
- ☞ Do not **double report** activity by including it on more than one report
- ☞ Any committee that has **more than \$5,000 debt** must file a full disclosure report even if had no activity
- ☞ **Candidates:** If you have not amended your [Statement of Committee Organization](#) with a future election date you cannot take contributions
- ☞ A committee's **bank account** must be held in the name of the committee as it is registered with MEC
- ☞ If you participate in **online banking**, print a hard copy of your monthly statement for your recordkeeping
- ☞ View [Campaign Committees](#) brochure if forming committee for ballot measures



Spotlight on Searches



Commission Cases - Final Actions Search:

View the Commission's final actions taken related to investigations involving:

Campaign Finance
Conflict of Interest
Lobbyists
Personal Financial Disclosure
Constitution, Statutes, Orders or Ordinances.

Individuals can choose from the **Search tabs** to begin:

- ⇒ Actions in Past 30 Days;
- ⇒ Current Year's Actions;
- ⇒ Advanced Search (select search criteria such as action date, respondent, committee or organization, and city or county.

Data available as of Jan 1, 2010.

**AUGUST 6, 2013
ELECTION**

Last day to form a committee (except PACS) is July 7th, 2013

Coming Soon:
Deadlines & Reminders
(watch our website)

Training

"WOW! The Hot Topics manual looks great."

"I like the format of the training."

"Fun session!"

"Great job."

"I always learn something new."

HOT TOPICS IN CAMPAIGN FINANCE

We introduced our newest training, with a new look and feel, at a recent conference and received many positive comments! The resource booklet **provides information and examples** for the questions local election authorities have or are asked the most regarding campaign finance disclosure, including: forming a committee, registering that committee, what is a contribution, what is an expenditure, when can a committee file a Limited Activity report and more.

CONFLICT OF INTEREST GUIDE

Also new is our Conflict of Interest Guide. Elected and public officials can use this as a resource to learn what they **can and can't do as a public official**. Topics include Nepotism, Financial Gain, Providing Services/Conducting Business, Purchasing/Bidding Requirements & Acceptance, Voting, Use of Public Funds, plus more, including a special FAQ section for legislators & statewide elected officials.

TRAINING TUTORIALS

Don't forget about the training tutorials on our website! They are **available 24/7**, and like all of our materials, are **free** and cover a **multitude of topics**, including campaign finance for candidates and committees, e-filing (reporting), lobbyist, political subdivision duties and more.



TOPICS

- [Conflict of Interest](#)
- [Enforcement Actions](#)
- [Campaign Finance](#)
- [Personal Financial Disclosure \(PFD\)](#)

Conflict of Interest

Q: Can an elected or appointed public official receive compensation from the political subdivision for additional employment services performed for the political subdivision?

A: No, see Sections 105.454, 105.456, and 105.458 RSMo., for specific requirements. Generally, a public official or

employee cannot be paid wages for additional services performed beyond their normal compensation. Other state law and the political subdivision laws or ordinances may establish specific compensation for an elected or appointed public official or employee; these should be consulted.

Greetings from James Klahr...

I want to use this opportunity in the MEC Newsletter to introduce myself as the new Executive Director of the Missouri Ethics Commission. I have worked as a Staff Attorney for the Missouri Senate, an Assistant Attorney General in the Missouri Attorney General's Office and most recently

as Legislative Liaison for the Missouri Department of Public Safety. I am looking forward to the opportunity to serve the Commission and the larger community the Commission serves—candidates, elected and other public officials, lobbyists and the public. I hope

you will contact me if you have any suggestions about how the Commission can improve the services we provide. I look forward to hearing from you.

James Klahr
Executive Director

Inside this issue:

Greetings from James Klahr
2014 Election News
Political Subdivisions
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Training News
Lobbyist Reminders
Campaign Finance Reminders
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2014 Election News

ATTN: Officials Accepting Declarations of Candidacy

Packets for 2014 Elections coming in October.

- Review the packet—includes instruction letter, 2014 Guide to Ethics Law, PFD forms (AOB >\$1mil) & Notice to Candidate.
- Review your Candidate Declaration form—may include wording that candidate has no outstanding campaign finance reports due from prior elections.
- Remember, [§130.071 RSMo](#) has restrictions for candidates taking office until all reports are filed.

Be sure to discard all old election materials.

Political Subdivisions

Beginning **November 16, 2013**, if AOB over \$1 million, political subdivisions will be able to [electronically](#) submit their list of required annual PFD filers to MEC. (Emails will be received at the end of October containing password information).

Both last year's annual filers and last year's candidates will be displayed. Carefully review each section, update each filer, and remove those no longer required to file.

Each subdivision must notify those people whose names have been submitted. They are required to file their PFD by May 1, 2014 or earlier if a candidate.

Use of Public Funds

Elected and public officials, their staff and employees are prohibited from using public funds to advocate, support or oppose ballot measures or candidates.

Examples: staff's time at work, office copiers, fax machine, paper, computers, printers, etc.

Public Funds may be used to make public appearances and/or issue press releases. ([§115.646 RSMo](#) & AG Opin 54-90).



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Training News

Preparations for the **2014 Election Year** have begun! We will begin offering **online webinars** for Campaign Finance Record-Keeping and Reporting in November, 2013.

We will also begin scheduling **in-person trainings** with various counties throughout and across the state.

Watch our website for the [training schedule](#). If you are

going to be a candidate or a committee treasurer, we strongly encourage you to attend!

The [2014 Candidate Central](#) page on our website has been updated and is a great way for candidates to learn the basics required of them.

Our newest brochure, [Exempt Candidates](#), was recently released. If you are a candidate running for statewide elected

office, the general assembly, or for a municipal office in a city with a population of more than 100,000, make sure you know all the requirements if you choose to file as an exempt candidate.

We received a very positive response to the first editions of **MEC Highlights!** We had several suggestions for more topics and will continue to publish those to the website.

Lobbyist Renewal Reminders

- Lobbyist renewal period begins Dec 1, 2013 and runs through Jan 5, 2014.
- All lobbyists must renew their registration and pay a \$10 registration fee.
- Lobbyists who fail to renew by Jan 5 will be terminated retroactive to Dec 31, 2013.



Campaign Finance Disclosure Reminders

File an [Amended Statement of Committee Registration](#) form to **change an election date** (changing it on reports will not update the committee information).

A **miscellaneous receipt** is money coming in other than by contribution or loan received (ex: interest earned, receipt of a rejected contribution, refund for return of merchandise, etc.).

A **miscellaneous disbursement** is money spent other than by expenditure or contribution made (ex: rejecting a contribution (that's already been deposited) back to the original contributor, transfer of funds from one candidate committee to another controlled by the same candidate, etc.).

A donation given to a charity or similar type event is reported as an **expenditure made**; however, a contribution from one candidate or committee to another candidate or committee is reported as a **contribution made**.

If a committee files a **48 Hour Report of Contribution over \$5,000** or a **Late Contribution Report**, these contributions must **also be included** in the committee's next full campaign finance disclosure report.

Contact us:

Physical address:
3411 A Knipp Dr.
Jefferson City MO 65109

Mailing address:
PO Box 1370
Jefferson City MO 65102

Phone:
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573-751-2020

Email:
helpdesk@mec.mo.gov

Website:
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[@MOEthics](https://twitter.com/MOEthics)

Don't forget...the October Quarterly Report is due from all committees October 15th.